1947-48 Council

File no 58-47
81, 40, 41

A Ord

B. for Gen. Ms

Subject

Bylaws regulating the Hotel Restaurants and coffee clubs in Brive

L 17 Sept du 19.6.48

Me de Chikaoui

Sanction du Préfet

528/ml

D193/47

From
The Deputy Commr, Kadavu District
No A3 cr 2954/46-47 Dt 24-7-47

Forwarded for sanction draft bye-laws regulating the hotels, restaurants and coffee clubs' in Savusavu town framed by the local municipal council —

1) The bye-laws are stated to have been framed on the lines of the model bye laws obtained from the District Health Officer, Kadavu district

2) Objections are stated to have been called for and that no objections were received within the prescribed time

3) The municipal Council has Resolved at its meeting held on 28-6-47 to ~~approach~~ Govt that sanction of Govt to the bye laws may be applied for

4) - For orders of the Legis Branch may be consulted about the constitutionality of the bye laws framed by the municipal Council for adoption

Secy Legis Br

A — myleduru

5) ...

5/8/47

Bye-Laws of Bisbee Town Council
Capacity

6) The draft Bye-Laws are stated to be modelled on the lines of the model Bye-Laws suggested by the District Health Officer. However provision has not been made for the following matters

The

Determination of the terms "Restaurant teashop and Coffee-club.

2. Bye laws on the lines of Bye-laws 2 and 3 of the model Bye-laws which prescribe for matters relating to the grant of licence and renewal of licence It is also necessary to specify the Form of Application and the Form of licence which are usually appended as Schedule provision is also necessary vesting power in the president to refuse to grant a licence if necessary conditions are not complied with and to grant temporary licences in special cases.

7) There is now no proper classification of the bye laws which relate to the conditions attached to licences In the model draft, such provisions have been classified under the heading "A" general and "B" Special A similar arrangement

appears necessary in respect of the proposed Bye-laws

8) In bye-law 20 which contains the penal provisions, no penalty has been prescribed for the substantive offence Provision for a Cash security Offence Law to be committed and only punishment for an offence provided

9) The proposed Bye-laws do not correspond with the model draft both as regards the adequacy and arrangement of the provisions It appears necessary to recast them on the lines of the model draft which contains all the necessary provisions

2438 8 NOV 1947

REVENUE SECRETARY No ... DEPT OF REVENUE

TYPING SECTION 19 NOV 1947 GOVT & REV SECTT

2N 7 11 47 BVN 7/11

Law Secy) 10) DRS 8 11 47

2 Rev Secy) 8/11 8/11/47

12) 8/11

13) Subd words off hereunder calling for the information as for appl

14) Issued

15/11 17/11/47 To the D C Chikkamagalur L 11172 Dt 26 11 47 Calls for further information on the above subject 18/11/47

Sec A 27 11 47

WD 01570—C 1 L—500 pads of 100 sheets each—12 2 46

Bylaws — Bmn Jungle Municipality

Continuation Sheet | File No / Current No 5-16 M of 193 | Page

From

The Deputy Commissioner
Chittagong District

No AB C 2954/46-47 dated 26-2-48

Resolution the off Byelaws regulating Hotels, Restaurants and Coffee Clubs in Bmn Town duly modified as suggested in this office letter No AB C 2954/46-47 dated 11-6-47

15) Subd The file may now be referred to the Legis Branch for opinion whether the modified byelaws now subd may be adopted

16) Legis Br 18/3 Br 1803 48 — 18/3/48

17) The draft Bye-laws, as revised have been scrutinised The preamble has been recast suitably. Verbal corrections have been made in some of the provisions Bye-law IV (1) prescribes a licence fee of Rs 15 for hotels, restaurants etc which have an annual income of Rs 600 to Rs 1200 It appears unnecessary to specify the upper limit of annual income and hence

MR T V

it is proposed to substitute the words Rs 6000 and above" for the words "Rs 6000 to Rs 12000"

18) Bye-laws VI and XX(9) prescribe penalty for an infringement of some of these provisions and prescribe also penalty for a continuing offence As there is no provision in the Municipal Act vesting power in a Municipal council to impose penalty for a continuing offence, the word relating to such offence have to be omitted in these Bye-laws

19) The Bye-laws are otherwise in order

W/13/4/48 20) As the conditions of the licenses had also been numbered as bye-laws, the draft bye-laws have been renumbered A few verbal corrections have been made to make the intention purpose intended by the bye-laws clear

21) The ~~alright~~ change proposed in bye-law No IV seems necessary otherwise hotels etc earning more than Rs 1,200/- per annum, if any, will not be liable to pay the license fees

22) Bye-law No VI is unnecessary since Section 147 (2) & (3) of the Act covers cases of persons using any premises as a hotel, restaurant etc, without a license This bye-law may therefor

193/558 5161/Pol

be deleted

23) Instead of the proposed bye-law No. XIX and XX(3) and (which has been included under the Conditions of a License) a separate bye-law No XX(9) may be numbered as a separate bye-law for prescribing the punishment

24) Provision cannot be made in the bye-law for a continuing offence, and this may therefore be omitted

Mas 28.4.68

Law Secy

Municipalities Branch

25) SK

SECRETARIAT 6621 - 4 MAI 1968 GOVT

Mr Vittal for 14/5/Pol

26) Subd. The dft Byelaws as revised above are for orders

Dy 21/5/68

27) The draft as scrutinised the Law Secy may be accepted

Dy 21/5

28) Pl put up a draft for Govt to bylaws as revised & corrected by the Law Secy

for 21/5/Pol

29) Subd with a dft G.O for appl

Dy 25/5

30) Subd Pl see remarks on the B/S dt

for 27/5/Pol

31) A fair draft incorporating the Corrections suggested is put up

The draft f.o may be approved

29/5/48

May be apsd

8

Appd 1/6/48

Secretary

OFFICE OF
THE MINISTER FOR
LOCAL SELF GOVERNMENT
No 2358
Date

Re 11/6/48

14/6/48

Secy

To

The D.C Chickmagalur w/r

G O No L 17852/mi 58-47-41

dated 19-6-48

Approves the draft byelaws of

Birur Town mlt

'B'

30/6

Office of the Deputy Commissioner,
Kadur District,
Chikmagalur, dated, 24th July 1947.

No.A3.C.2954/46-47.
(Encl. one file.)

To

The Secretary to Government of
His Highness the Maharaja of Mysore,
Revenue Department, Bangalore

Sir,

Re - Draft ~~Draft~~ Bye-laws regulating the Hotels, Restaurants and Coffee Clubs in Birur Town.-

In forwarding herewith the records ending with report No H.C.48 A/46-47 dated 29-6-1947 from the President, Town Municipal Council, Birur, on the above subject, I have the honour to state that the Bye-laws have been framed on the lines suggested by the District Health Officer, Kadur District, Chikmagalur. It is reported that no objections have been received. The Town Municipal Council, Birur, has resolved on 28-6-47 that the same may be sent to Government for sanction.

I request you to kindly obtain the sanction of Government for the draft Bye-laws proposed by the Municipal Council.

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Kadur District.

I MB.

draft for approval

L. 11172/R

26.11.47

To

The Deputy Commr.
Chengalpattu District
Chengalpattu

Sir,

Re: Draft Bye-laws regulating the hotels, Restaurants & Coffee clubs in Berur Town

With reference to your letter No A3 C 2954/46-47 dated 24-7-1947 on the above subject, I am directed to state that in the draft Bye-laws (which are stated to have been modelled on the lines of the model Bye-law suggested by the District Health officer Chengalpattu) provision has not been made

for the following matters:—

1) definitions of the terms "Restaurant, Teashop & Coffee Club"

2) Bye-laws as the laws of Bye-laws 2 and 3 of the model Bye-laws which prescribe for matters relating to the grant of license and renewal of license It is also necessary to specify the form of application & the form of license which are usually appended as Schedules

3) Provision is also necessary vesting power in the President to refuse to grant a license if the necessary conditions are not complied with and to grant temporary licenses in special cases

4) There is no proper classification of the Bye-laws which relate to the conditions attached

attached to licenses in the model draft, such provisions have been classified under the heading "A" General and "B" Special A similar arrangements appears necessary in respect of the proposed Byelaws

5) In Byelaw no 20 which contains penal provision, no ~~provision~~ penalty has been prescribed for the Substantive offence Provision for a continuing offence has to be omitted and ~~only~~ only punishment for the offence provided

As the proposed byelaws do not correspond with the model draft bylaws both as regard

PTC

regards the adequacy and arrange-
ment of provisions, it is necessary
to recast them on the lines of the latter bye-laws
of the ~~model~~ ~~dft~~ by-laws which contains
all the necessary provisions

The dft bye-laws and the
connected records are herewith
returned for ~~taking necessary action~~ effecting necessary
modifications on the lines indicated above & retransmitting
them for the orders of Govt

I have etc

for

Jr. Secy to Govt

GS 15/11 17.11.42

ML 5847-40 5161

Office of the Deputy Commissioner,
Chikmagalur District,
Dated, Chikmagalur, 26th February 1948.

5161 ML
21 MAR 1948
L & O BRANCH

No A3 C 2954/46-47
(Civil Records)

To

The Secretary
to Government of Mysore,
Revenue Department, Bangalore

Sir,

Subject - Bye-laws regulating Hotels, Restaurants and Coffee Clubs in Balla Town

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With reference to your letter No L 11172 dated 26-11-1947 on the above subject, I have the honour to enclose herein the Draft Bye-laws which received modified as per instruction in your letter under reference and to request you to kindly obtain the sanction of Government for these Bye-laws. The file records ending with letter No F 3.43 A /46-47 dated 23-1-1948 from the President, Town Municipal Council, Balla, accompany.

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner in-charge,
Chikmagalur District

I B

G R S App F VI—G 2]

SUBJECT

Diary No of letter replied to 558 Two copies

Section ML

File No 58-47

Serial No 41

General and Revenue Secretariat

( )

the *194*

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 15-6-48 194

Read—

Correspondence ending with letter No A3 C 2954/46-47, dated 26-2-48 from the DC Chickmagalur Dist submitting the draft bye-laws framed under Sec 48 (1) (b) (iv) of the Mysore Town Municipalities Act of 1933 by the Boru Town Municipality, for regulating hotels, restaurants and coffee clubs in the town and approved by the Municipal Council at their meeting on 22-1-48 and requesting sanction thereto

Signed by Sri Ramaiah

approving as prescribed

Order thereon—No A 17854/48

The draft bye-laws as appended to this order are sanctioned five printed copies may be sent to the Secretariat for record

15/6/48

for Secy to Govt Rev Dept

May this be—

(i) printed ?

(ii) treated as a Standing Order ?

(iii) published in the Gazette English Part ?

(iv) translated ?

(v) placed at the disposal of the Press ?

(vi) published in the Gazette Kannada Part ?

To The Deputy Commr, Chickmagalur Distt, with the records

Br 28/5/48

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

READ -

Correspondence ending with letter No A3 C 2954/46-47 dated 26th February 1948 from the Deputy Commissioner, Chickmagalur District, submitting after observing the prescribed formalities the draft bye-laws framed under Section 48(1)(b) (iv) of the Mysore Town Municipalities Act of 1933 by the Birur Town Municipality for regulating hotels, restaurants and coffee clubs in the town and approved by the Municipal Council at their meeting on 22nd January 1948 and requesting sanction thereto

ORDER NO: L/18574/mh 58-47-41

Dated, Bangalore, the 19-6-48

The draft byelaws as appended to this order are sanctioned Five printed copies may be sent to this Secretariat for records

For Secretary to Government,
Revenue Department

The Deputy Commissioner, Chickmagalur District, with the records

O/c